

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

FRANK CARBONE, ANDREW CORZO,  
SAVANNAH ROSE EKLUND, SIA HENRY,  
MICHAEL MAERLANDER, BRANDON PIYEVSKY,  
KARA SAFFRIN, and BRITTANY TATIANA  
WEAVER, individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE  
OF TECHNOLOGY, UNIVERSITY OF CHICAGO,  
THE TRUSTEES OF COLUMBIA UNIVERSITY IN  
THE CITY OF NEW YORK, CORNELL  
UNIVERSITY, TRUSTEES OF DARTMOUTH  
COLLEGE, DUKE UNIVERSITY, EMORY  
UNIVERSITY, GEORGETOWN UNIVERSITY, THE  
JOHN HOPKINS UNIVERSITY, MASSACHUSETTS  
INSTITUTE OF TECHNOLOGY, NORTHWESTERN  
UNIVERSITY, UNIVERSITY OF NOTRE DAME DU  
LAC, THE TRUSTEES OF THE UNIVERSITY OF  
PENNSYLVANIA, WILLIAM MARSH RICE  
UNIVERSITY, VANDERBILT UNIVERSITY, and  
YALE UNIVERSITY,

Defendants.

Case No.: 22-cv-00125

Hon. Matthew F. Kennelly

**[PROPOSED] CASE MANAGEMENT ORDER**

Per the Court's ruling during the September 2, 2022 Status Hearing and its Order dated September 2, 2022, the parties submit the following case Management Order.

**(1) Pretrial schedule**

The pretrial schedule for this matter is attached as Appendix 1.

**(2) Joint Status Report**

The parties shall file a Joint Status Report on November 7, 2022, in which the parties shall update the Court on (a) the status of discovery, (b) the parties' respective positions on any discovery disputes that have become ripe, and (c) the parties' positions on mediation.

**(3) Modifications to the limits on discovery**

**A. Depositions of Non-Expert Witnesses.** The parties will meet-and-confer regarding the number of non-expert witness depositions and submit a proposed order (or competing orders if the parties are unable to reach agreement) on December 23, 2022.

**B. Interrogatories.** Plaintiffs may collectively propound no more than 45 written interrogatories, including all discrete subparts, on any defendant. Defendants may collectively propound no more than 45 written interrogatories, including all discrete subparts, on any plaintiff.

**C. Requests for Admission.** Plaintiffs may collectively propound no more than 50 written requests for admission on each defendant. Defendants may collectively propound no more than 50 written requests for admission on each plaintiff.

IT IS SO ORDERED.

Date: September \_\_, 2022

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Hon. Matthew F. Kennelly  
United States District Judge

Dated: September 7, 2022

Respectfully submitted,

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**APPENDIX 1**

<b><u>EVENT</u></b>	<b><u>DEADLINE</u></b>
Answer Under FRCP 12	September 9, 2022
Parties to submit proposed stipulated orders re ESI, deposition protocol, and expert discovery, and if not stipulated to, a joint motion setting out the disputes	September 16, 2022
Parties to submit proposed stipulated orders re. confidentiality and FERPA and, if not stipulated to, a joint motion setting out the disputes.	October 21, 2022
Parties to submit joint status report	November 7, 2022
Status Hearing	November 14, 2022 8:45 a.m.
Parties to Submit Status Report to Court Setting Forth Any Areas of Dispute Regarding Custodians, Non-Custodial Document Sources, and Search Methodologies	December 2, 2022
Deadline to Begin Rolling Production of Documents in Response to RFPs Served on or Before September 19, 2022	December 16, 2022
Parties will submit a proposed order (or competing orders if the parties are unable to reach agreement) on the number of non-expert witness depositions.	December 23, 2022
Substantial completion of Structured Data in Response to RFPs Served on or Before September 19, 2022 <sup>1</sup>	February 13, 2023
Substantial completion of Document Production in Response to RFPs Served on or Before September 19, 2022	March 3, 2023
	July 31, 2023

<sup>1</sup> To the extent applicable to the requested information, meeting this deadline is subject to the parties' compliance with the Family Educational Rights and Privacy Act. *See* 20 U.S.C. § 1232g; 34 C.F.R. Part 99.

<b><u>EVENT</u></b>	<b><u>DEADLINE</u></b>
Substantial completion of Document Production in Response to RFPs Served on or Before March 31, 2023	
Motion to Amend Pleadings	July 31, 2023
Close of Fact Discovery	January 31, 2024 <sup>2</sup>
Opening Expert Reports (Class Certification and Merits) on All Issues on Which a Party Has the Burden off Proof	March 15, 2024
Opposition Expert Reports (Class Certification and Merits)	May 17, 2024
Rebuttal Expert Reports (Class Certification and Merits)	August 2, 2024
Close of Expert Discovery	September 13, 2024 <sup>3</sup>
<i>Daubert</i> Motions	October 18, 2024
Motion for Class Certification	October 18, 2024
<i>Daubert</i> Oppositions	November 15, 2024
Opposition to Motion for Class Certification	November 15, 2024
<i>Daubert</i> Replies	December 20, 2024
Reply in Support of Class Certification	January 8, 2025
<i>Daubert</i> and/or Class Certification Hearing	

<sup>2</sup> All RFPs must be served at least 75 days before the close of fact discovery. All interrogatories must be served at least 45 days before the close of fact discovery.

<sup>3</sup> Expert depositions are to be taken during the period between August 2, 2024 and September 13, 2024.

<b><u>EVENT</u></b>	<b><u>DEADLINE</u></b>
	Court's discretion
Summary Judgment Motions	March 7, 2025
Summary Judgment Oppositions	April 11, 2025
Summary Judgment Replies	May 12, 2025
Summary Judgment Hearing	Court's discretion
Pre-Trial Conference	Court's discretion
Trial	Court's discretion